Appl. No. 09/616,714
Amdt dated April 18, 2005
Reply to Office Action of January 18, 2005

REMARKS/ARGUMENTS

Claims 1-4, 7-11 and 14-38 are pending in this application. Claims 5, 6, 12

and 13 were previously canceled. Claims 22-37 have been withdrawn from

consideration without prejudice. No amendments are presented herewith.

Applicant respectfully requests reconsideration in view of the following remarks.

I.   <u>Rejection of Claims 1-4, 8-11, 15-21 and 38 Based on 35 U.S.C. § 102(e)</u>

The Examiner has rejected claims 1-4, 8-11, 15-21, and 38 under 35 USC

§102(e) as being anticipated by Sharp (U.S. Patent 6,263,317). Applicant

respectfully disagrees for at least the reasons given below.

A.   <u>Independent Claim 1 and Dependent Claims 2-4, 7 and 15:</u>

<u>Sharp Does Not Modify Merchant Content as Recited in</u>

<u>Independent Claim 1</u>

With respect to independent claim 1, the Examiner refers to column 4,

lines 29-55 of Sharp to show anticipation of *"modifying merchant content*

obtained from said merchant computer system to redirect one or more hyper-

text elements to said vendor computer system...." Applicant submits that Sharp

does not modify merchant content as recited in independent claim 1. For

reference purposes, col. 4, lines 29-55 of Sharp are presented below:

81045.944   Page 15 of 23

Stage 345 determines whether the selected supplier has accepted the order in time, in which case operation 300 proceeds to stage 348. Otherwise, a missed opportunity letter is sent to the retailer in stage 369 and stages 321 to 345 are repeated until the order is allocated to a supplier that accepts the order in time. Database 230 is updated to reflect the supplier's timely acceptance of the order in stage 348. An airbill, packing slip and other shipment information are then generated by server computer 110 in stage 351 and an order ship timer for the supplier is started in stage 363. In stage 354, the supplier prints the airbill, packing slip and shipment confirmation information form using distributor computer 140 or manufacturer computer 130. All shipping materials generated in stages 351 and 354 reflect the owner of the website as the shipping party, regardless of the distribution channel actually used to ship the product, making the actual distribution channel conflict resolution process transparent to the user. The supplier then attaches the airbill and packing slip to the shipment in stage 357. The supplier completes the order confirmation form on the website in stage 360. Stage 366 then determines whether the supplier entered shipment confirmation information on for the product on time, in which case operation 300 proceeds to stage 372. Otherwise, a missed opportunity letter is sent to the supplier in stage 369 and stages 321-366 are repeated until the order is accepted and the corresponding product is shipped on time. (Sharp, 4: 29-55)

The Examiner recharacterizes Sharp as follows:

The Examiner notes, an order is allocated to a supplier according to a web sales channel conflict

Appl. No. 09/616,714
Amdt dated April 18, 2005
Reply to Office Action of January 18, 2005

resolution protocol specified by the manufacturer. Once the
supplier accepts the order, the supplier processes the order
and prints a packing slip and a shipment confirmation
information form. Order/shipment confirmation information,
including an order number and a link to an order/shipping
web page, is emailed to the customer in stage 318. All
shipping materials are modified to reflect the owner of the
website as the shipping party, regardless of the
distribution channel actually used to ship the product,
making the actual distribution channel conflict resolution
process transparent to the user. [Emphasis added by
Examiner.] The customer checks the order and shipping
status on-line in stage 390, whereby the customer access[es]
an e-commerce website using the order and link information
supplied in stage 318. Fig. 15 is an example of the type of
information the customer would access in stage 390. As
shown in Fig. 15, the merchant content is redirected to the
[vendor's] computer system and is displayed (reframed) as a
web page of said [vendor] computer system.

Applicant respectfully submits that several points of the Examiner's

characterization are inaccurate. For instance, the email sent by the e-commerce

website (not the supplier) to the customer computer in stage 318 contains order

confirmation information and a link to an order/shipping information webpage;

the email does not contain any information from the supplier (e.g., the

merchant), let alone shipment confirmation information. In fact, allocation of the

order to a supplier occurs after the email is sent to the customer in stage 318 (see

col. 4, lines 8-14). Therefore, there can be no modification of merchant content in

81045.944   Page 17 of 23

Appl. No. 09/616,714
Amdt dated April 18, 2005
Reply to Office Action of January 18, 2005

the email of stage 318. Thus, this portion of Sharp does not teach or suggest, let alone anticipate modifying merchant content obtained from a merchant computer system to redirect hyper-text elements to a vendor computer system.

Further, the Examiner's substitution of the word "modified" for Sharp's designation of "generated" is inaccurate and misleading. The e-commerce website does not modify the shipping materials; the e-commerce website generates the shipping materials for the supplier to print out ("An airbill, packing slip and other shipment information are then generated by server computer 110 in stage 351 ...." col. 4, lines 36-37; emphasis added). Applicant submits that the generation of shipping materials by the e-commerce web site does not teach or suggest modifying merchant content obtained from a merchant computer system to redirect one or more hyper-text elements to the vendor computer system, as recited in independent claim 1. Thus, this portion of Sharp fails to teach or suggest, let alone anticipate modifying merchant content to redirect hyper-text elements to a vendor computer system.

As for the customer checking status on-line at stage 390, Applicant finds no teaching in Sharp as to the content or presentation of such status. The Examiner states that Fig. 15 is an example of the type of information the

81045.944   Page 18 of 23

Appl. No. 09/616,714
Amdt dated April 18, 2005
Reply to Office Action of January 18, 2005

customer would access in stage 390 of Sharp. Applicant must respectfully object

to such an assumption. Fig. 15 of Sharp represents the packing list information

that is generated by the e-commerce website, printed by the supplier and placed

inside the shipping package (see col. 8, line 53 of Sharp). As such, within the

teachings of Sharp, Fig. 15 cannot be assumed to represent anything other than a

packing list generated by the e-commerce website. Thus, this portion of Sharp

fails to teach or suggest, let alone anticipate, modifying merchant content

obtained from said merchant computer system to redirect one or more hyper-

text elements to said vendor computer system.

The Examiner has also stated that Fig. 15 shows how the modified

merchant content is reframed as a web page of the vendor computer system. As

stated above, Fig. 15 does not show modified merchant content, and therefore

cannot teach or suggest reframing of such modified content. Absent specific

teachings in Sharp regarding the reframing of modified merchant content,

Applicant submits that the Examiner's anticipation rejection of independent

claim 1 must be withdrawn.

For at least the foregoing reasons, Applicant submits that Sharp does not

teach or suggest, let alone anticipate, the invention embodiment recited in

independent claim 1 of the present application. Claim 1 is therefore allowable

81045.944   Page 19 of 23

Appl. No. 09/616,714
Amdt dated April 18, 2005
Reply to Office Action of January 18, 2005

over the cited art. Further, claims 2-4, 7 and 15, being dependent upon an

allowable base claim, are also allowable for at least the foregoing reasons

B.   Independent Claim 8 and Dependent Claims 9-11, 14 and 16:

Claim 8 Allowable for Similar Reasons to Claim 1

The Examiner has stated that claim 8 is rejected under the same rationale

as set forth for claim 1. Likewise, Applicant respectfully submits that the

arguments provided above with respect to the allowability of independent claim

1 also apply to claim 8. Specifically, Sharp does not anticipate modifying

responses from a merchant computer system to a client computer system,

including redirecting hyper-text elements and reframing merchant content.

The Examiner further states that col. 7, lines 57-65 of Sharp anticipate

monitoring an information exchange between said client computer and said

plurality of merchant computer systems to obtain said transaction information.

Applicant respectfully disagrees. The referenced portion of Sharp pertains to an

order display window used by an operator of the supplier computer system, and

has no connection to an information exchange between a client computer and a

plurality of merchant computer systems..

81045.944   Page 20 of 23

Appl. No. 09/616,714
Amdt. dated April 18, 2005
Reply to Office Action of January 18, 2005

For the foregoing reasons, Applicant submits that independent claim 8 is allowable over the cited reference. Further, claims 9-11, 14 and 16, being dependent upon an allowable base claim, are themselves allowable for at least the foregoing reasons provided with respect to independent claim 8.

C.   Independent Claim 17 and Dependent Claims 18-21

Applicant respectfully submits that the arguments provided above with respect to the allowability of independent claim 1 also apply to claim 17 within the context of program code configured to perform the respective novel steps. Specifically, Sharp does not anticipate program code configured to modify responses from a merchant computer system to a client computer system, including redirecting hyper-text elements and reframing merchant content.

For the foregoing reasons, Applicant submits that independent claim 17 is allowable over the cited reference. Further, claims 18-21, being dependent upon an allowable base claim, are themselves allowable for at least the foregoing reasons provided with respect to independent claim 17.

D.   Independent Claim 38

The Examiner states that independent claim 38 is rejected under the same rationale as claim 1. Applicant respectfully submits that the arguments provided

81045.944   Page 21 of 23

Appl. No. 09/616,714
Amdt dated April 18, 2005
Reply to Office Action of January 18, 2005

above with respect to the allowability of independent claim 1 also apply to claim 38 within the context of a server process comprising means for performing the respective novel steps. Specifically, Sharp does not anticipate means for modifying responses from a merchant server to a client computer system, including redirecting hyperlinks and reframing merchant content; and/or transmitting a vendor server web page, with modified hyperlinks and reframed merchant content, to a client computer system for presentation to a user. For at least the foregoing reasons, Applicant submits that independent claim 38 is allowable over the cited reference.

II.   Rejection of Dependent Claims 7 and 14 Under 35 U.S.C. § 103

The Examiner has rejected dependent claims 7 and 14 under 35 U.S.C. § 103 as being unpatentable over Sharp, in view of Fergerson (U.S. Patent No. 5,966,697). Applicant respectfully disagrees. Claims 7 and 14, being dependent upon allowable base claims, are themselves allowable for at least the foregoing reasons provided with respect to independent claims 1 and 8.

81045.944   Page 22 of 23